

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
DAVID LOLA, on behalf of himself and others :
similarly situated, :
:

Plaintiff, :

-against- :

13-CV-5008 (RJS)

SKADDEN, ARPS, MEAGHER, SLATE & :
FLOM, LLP, and TOWER LEGAL STAFFING, :
INC. :

Defendants. :
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NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE THAT, upon the Memorandum of Law in Support of Defendants' Motion to Dismiss Plaintiff's First Amended Complaint; and upon all of the papers and proceedings herein, Defendants will move this Court on a date and time to be set by the Court, before the Honorable Richard Sullivan, United States District Judge, at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007-1312, for an order: (i) dismissing the First Amended Complaint in its entirety pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and (ii) granting to Defendants such other

and further relief as the Court may deem just and proper, including, but not limited to, Defendants' attorneys' fees and costs.

Dated: New York, New York
December 6, 2013

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By s/ Stephanie L. Aranyos
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